

REMARKS/ARGUMENTS

By the foregoing amendment, the title to the application has been changed to a more descriptive title. Additionally, the original claims 1-4 have been cancelled in favor of claims 5-10 presented herein. The rejection based on 35 U.S.C. §112 is believed cured by the rewriting of the claims.

The rejection of the originally-presented claims under 35 U.S.C. §102(b) as anticipated by Nelson U.S. patent No. 4,740,025 is respectfully traversed. The present invention relates to a specimen container chuck apparatus which can hold a specimen container of any size and shape in a stable manner. As disclosed in the present application, page 1, line 16 to page 2, line 6, a conventional specimen container chuck apparatus generally comprises a holding member that is open and closed by an open/closed driver. The holding member includes a pair of tight members, similarly as in Nelson. The inner surfaces of the plate members are shaped in an arc having a specific degree of bend to fit the specimen container, e.g., as seen in Figure 2 of Nelson. Thus, the conventional specimen container chuck apparatus holds the container in a stable manner only if the outer surface of the container conforms to the arc of the plate members. When the outer surface does not conform to the arc of the plate members, the specimen container may not be held in a stable manner.

In the present invention as illustrated in Figure 2, the container is held by two holding members (20A, 20B) each of which includes a pair of linear members (21A, 21A) (21B, 21B) which extend generally along a lengthwise direction of the tubular specimen container. Each pair of support sections is connected to a pair of contact sections (22A, 22A), (22B, 22B) which in turn are connected to coupling sections (23a, 23b). Moreover the container contact sections extend along a lengthwise direction of the tubular specimen container and are biased toward the

specimen container. Thus, contrary to the prior art, particularly Nelson, the claimed invention includes holding members having surfaces which contact the specimen container so that a container of any size and shape can be held in a stable manner. Nelson is not directed to this concept nor does it provide structure to accomplish those ends. Nelson merely provides a gripper that would be free of sticking problems but would maintain gripping efficiency (column 1, lines 55-57).

Note also that the claims required a bent elastic linear member as part of each of the holding members. The wire 30 of Nelson does not extend lengthwise in the direction of the vial 25. Rather, it extends only along a lateral direction and is solely used for a wholly different purpose (see column 4, lines 26-38). Note also the configuration of the bent elastic linear member as set forth in dependent claim 10 is similarly not disclosed in Nelson.

Accordingly, applicant believes that the application is now in condition for allowance and early notification of the allowance thereof is respectfully requested.

Respectfully submitted,

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